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SUBJECT: Update on press freedom in Niger

REF: (a) 07 Niamey 1346; (b)
07 Niamey 1220

¶1. Journalist Ibrahim Manzo Diallo was granted provisional release from prison on February 6. Diallo is the director of Agadez-based newspaper Air Info. He was arrested in October 2007 and held in pre-trial detention on charges of conspiring with the MNJ (ref a). Although released, Diallo still faces charges. No trial date has been set.

¶2. In the case of Moussa Kaka (ref b), jailed director of Radio Sarounia (the local RFI affiliate), the Court of Appeals on February 12 reversed a lower court ruling barring consideration of alleged wiretap evidence, and reassigned his case to another judge.

¶3. The formerly presiding judge had ruled that the wiretap evidence had been illegally obtained and was inadmissible, and dismissed charges against Kaka; however, he was held pending a ruling on the prosecution's appeal. Kaka's lawyer has lodged an appeal with the Nigerien Supreme Court asking for his client's provisional release. (Comment: it is widely speculated that the reassignment of Kaka's case to another judge is a result of political interference in the judicial proceeding. End comment.)

¶4. On February 5 a lower court judge confirmed the prison sentences of two other journalists, Idrissa Soumana Maiga, director of publication of private newspaper L'Enqueteur, and his editor Ibrahim Souley. The two were convicted on January 8 under Niger's criminal libel statute and were each sentenced to one month in jail.

¶5. The prosecutor in the case asked the judge to reconsider his ruling, requesting a minimum sentence of one year. The judge's February 5 ruling reconfirmed the original one month sentence, but the prosecutor has indicated he will appeal the sentence to a higher court.

¶6. Maiga and Souley had been arrested on November 28, 2007, after publishing a November 19, 2007 article accusing the Minister of Finance of corruption in awarding a government contract to an associate. The journalists were held for questioning for 72 hours, then released. They have remained free pending final resolution of their case.

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